

**PATENT**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Thomas A. JESKO Docket No.: WBA.P.3115 A  
Serial No: Not Assigned Yet Examiner: Not Assigned Yet  
Submitted: February 5, 2004 Group Art Unit: Not Assigned Yet  
For: COVER ASSEMBLY FOR STRUCTURAL MEMBERS

**MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING DATE OF APPLICATION**

**(37 C.F.R. §1.97(b)(1))**

Dear Sir:

Pursuant to 37 C.F.R. §1.97 encouraging the filing of an Information Disclosure Statement, Applicant submits this paper in compliance with his duty of disclosure as set forth in 37 C.F.R. §1.56.

Applicant wishes to introduce art having some relevance to the present application, which has been listed on attached form PTO/SB/08A. This form includes thirty-four (34) United States patent documents and two (2) foreign patent documents. No representation is made that a specific search has been made by Applicant, that the information is material to the claimed subject matter, or that the information represents the only or the best information.

Applicant does not admit that any of the information provided is necessarily prior to his invention, but rather it is information of which Applicant is aware and believes should be provided to the Office in fulfillment of the duty of disclosure. Any question that may arise regarding the priority of a specific document shall be resolved during prosecution.

**Certificate of Express Mailing**

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EL722636019US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CHERYL CONNOR-ZOUL  
(type or print name of person signing paper)

Cheryl Connor-Zoul  
(signature of person mailing paper)

2-5-2004  
(date)

The USPTO has waived the requirement under 37 C.F.R. §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications filed after June 30, 2003, and for all international applications that have entered the national stage under 35 U.S.C. §371 after June 30, 2003. 1273 TMOG 55 (August 5, 2003). As this continuation application is being filed after June 30, 2003, Applicant has not submitted copies of the U.S. patents that are cited on form PTO/SB/08A enclosed herewith.

In addition, “A copy of any patent, publication, pending United States application or other information, as specified in paragraph (a) of this section, listed in an information disclosure statement is required to be provided, even if the patent, publication, pending United States application or other information was previously submitted to or cited by the Office in an earlier application, unless: (1) the earlier application is properly identified in the information disclosure statement and is relied on for an earlier effective filing date under 35 U.S.C. §120 and; (2) the information disclosure statement submitted in the earlier application complies with paragraph (a) through (c) of this section.” 37 C.F.R. §1.98(d). The present continuation application relies on the parent application, United States Serial No. 09/941,804, for an earlier effective filing date under 35 U.S.C. §120. The art being presently cited includes art which has been cited by the United States Patent and Trademark Office or has previously been submitted to the United States Patent and Trademark Office by Applicant during the prosecution of the parent application. The art cited in the parent application can be found in the file wrapper of the parent application. Therefore, copies of the United States patent documents cited are not enclosed herewith.

The information cited in the parent application was provided in the English language, with the exception of JP 6-322,848 and JP 6-322,849. These two Japanese references were cited by the Examiner in the parent application, but were not applied against the claims. Applicant has included English language abstracts for JP 6-322,848 and JP 6-322,849 herewith.

The referenced art is being cited for the express purpose of providing the Patent and Trademark Office with the opportunity to make an evaluation and to arrive at an independent assessment of materiality of each document, if any, to the examination of this application. The Examiner is requested to disregard any marking on the copies of the cited documents. Markings on the references should not be regarded as necessarily pointing out the portions of the subject documents regarded by the Applicants as relevant to the subject application. Applicant respectfully requests that the information cited be made of record in the subject case.

**IDENTIFICATION OF TIME OF FILING THE  
INFORMATION DISCLOSURE STATEMENT**

The Information Disclosure Statement submitted herewith is being filed contemporaneously with the filing of the present continuation application. No certification or fee is due with this filing of the Information Disclosure Statement. 37 C.F.R. §1.97(b)(1).

Respectfully submitted,

  
\_\_\_\_\_  
Joseph G. Curatolo, Esq. (Reg. No. 28,837)  
Renner, Kenner, Greive, Bobak, Taylor & Weber  
24500 Center Ridge Road, Suite 280  
Westlake, Ohio 44145  
Telephone: (440) 808-0011  
Facsimile: (440) 808-0657  
Attorney for Applicant

Feb 5, 2004  
\_\_\_\_\_  
Date

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO				<b><i>Complete if Known</i></b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	New Application
				Filing Date	February 5, 2004
				First Named Inventor	Thomas A. JESKO
				Group Art Unit	Not Assigned Yet
				Examiner Name	Not Assigned Yet
				Attorney Docket Number	WBA.P.3115 A
Sheet	1	of	2		
(use as many sheets as necessary)					

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		3,435,574		Hallock	04/01/1969	
		3,659,390		Balzer et al.	05/02/1972	
		3,696,575		Armstrong	10/10/1972	
		3,745,726		Thom	07/17/1973	
		3,810,707		Tungseth et al	05/14/1974	
		3,849,958		Balzer et al	11/26/1974	
		3,862,810		Welch	01/28/1975	
		3,974,609		Attaway	08/17/1976	
		3,974,614		Strong	08/17/1976	
		4,022,538		Watson et al	05/10/1977	
		4,067,155		Ruff et al	01/10/1978	
		4,411,582		Tippett	09/05/1978	
		4,184,298		Balzer et al	01/22/1980	
		4,271,650		Lynn-Jones	06/09/1981	
		4,706,318		Huber et al	11/17/1987	
		4,815,247		Nicholas	03/28/1989	
		4,876,759		Yang	10/31/1989	
		5,020,294		Duda	06/04/1991	
		5,024,554		Benneyworth et al	06/18/1991	
		5,048,249		Shreiner et al	09/17/1991	

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box

→  +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
respond to a collection of information unless it displays a valid OMB control  
number.

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	New Application
				Filing Date	February 5, 2004
				First Named Inventor	Thomas A. JESKO
				Group Art Unit	Not Assigned Yet
				Examiner Name	Not Assigned Yet
Sheet	2	of	2	Attorney Docket Number	WBA.P.3115 A

## **U.S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT

LETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231